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Shutterfly, Inc.

By: *X- W*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

BAUM et al.

Application No.: 09/630,752

Filed: August 2, 2000

For: Photographic Image Upload Kiosk
and Method



Examiner: Garg

Art Unit: 3625

APPELLANT'S APPEAL BRIEF

Mail Stop Appeal Brief - Patents
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313

Sirs:

This Brief is presented in support of a Notice of Appeal filed herewith, from the rejection of Claims 1-64 of the above-identified application, as set forth in the Final Office Action mailed July 26, 2005.

A check of \$340 is enclosed herewith to cover the fees with the Notice of Appeal and this Appeal Brief.

REAL PARTY OF INTEREST

The Real Party of Interest is Shutterfly Inc., a Delaware corporation.

RELATED APPEALS AND INTERFERENCES

There are no related appeals or interferences for the above-referenced patent application.

STATUS OF CLAIMS

Claims 1-64 are pending and are the subject of this Appeal. All claims have been rejected. Claims 1-64 are the subject of this appeal. No other claims are pending.

STATUS OF AMENDMENTS

The claims were amended in response to an Office Action mailed in December 3, 2003. A Final Office Action was mailed on July 26, 2005.

A copy of all the pending claims, prior to the after final amendment, is provided in Appendix A attached hereto.

SUMMARY OF CLAIMED SUBJECT MATTER

The present invention provides apparatus and methods for accepting and storing image data from each one of a plurality of customers, for example at a kiosk, then

transferring and again storing the digital image data to a central processing facility for processing and distribution per instructions from the customer. Specification at page 3.

One advantage of the present invention is that the step of accepting and storing image data from a customer can be separated from the step of transferring the image data and order information to the service provider. The customer does not need to wait near the kiosk during the uploading process. Specification at pages 3-4.

Another advantage of the present invention is that the transfer of the images and order information is secured. The images and the order information from the customer can be temporarily stored over the storage media in the kiosk. The images and order information can be automatically removed from the storage media in the kiosk once the service provided confirms that it has received the image and order information. Specification at page 4.

The present invention also provides a system and a method for transferring digital images between a kiosk source terminal and a repository system interconnected by a communications medium. For example, in some embodiments, the communications medium includes the Internet. In other embodiments, the medium includes wireless transmission of data. In yet other embodiments, a private network is used. Specification at page 4.

The present invention provides a method of collecting images from a plurality of customers into a kiosk, and transferring images from the kiosk to an image-processing provider for processing. The kiosk includes a computer, a data storage device and an interface for capturing digital images. The data storage device includes computer-readable media for storing information representative of the digital images. The method includes accepting image information from a customer into the interface of the kiosk, accepting user-identifier information into the computer (the user-identifier information corresponding to the customer), accepting order information into the computer (the order information specifying a service to be provided relative to the image information), storing into a local storage connected to the computer a digital representation of the image information and associated user identifier information and order information for each of a

plurality of different customers into a data structure, and sending the data structure to the image-processing provider via a communication medium. Specification at page 4.

Yet another aspect of the present invention provides a kiosk for accepting image-processing orders from a customer for processing at a remote image-processing provider. The kiosk includes a controller, a storage device operatively coupled to the controller, a image input device operatively coupled to the controller, wherein the controller transfers digital image information from the image input device to the storage device, a user input device operatively coupled to the controller to produce user-identifier information and order information based on input from the customer, wherein the order information specifies a service to be provided relative to the image information, and wherein the controller associates the user-identifier information and the order information with the digital image information, and a data transmission interface operatively coupled to the controller and to a communication medium, wherein the controller sends the digital image information and its associated user-identifier information and order information to the image-processing provider via a communication medium. Specification at page 5.

Yet another aspect of the present invention provides a computer-implemented method of business that includes accepting image information at a first business location, accepting user-identifier information and order information associated with the image information at the first business location, processing and digitally storing a plurality of images from the image information at the first business location, transferring the digital stored images to a second business location across a communications medium, storing the digital images at the second business location, processing prints of the stored images, and delivering the processed prints to a customer. Specification at pages 5-6.

Another aspect of the present invention provides an automated kiosk for accepting image-processing orders from a customer for processing at a remote image-processing provider. This kiosk includes a controller, a storage device operatively coupled to the controller, a plurality of image input devices operatively coupled to the controller, each input device accepting a different type of image information, wherein the controller transfers digital image information from the image input devices to the storage device, a

credit-card reader operatively coupled to the controller, the reader operable to read data of a credit card, a user input device operatively coupled to the controller to produce user-identifier information and order information based on input from the customer, wherein the order information specifies a service to be provided relative to the image information, and wherein the controller associates the user-identifier information and the order information with the digital image information, a display that displays the digital image information, user-identifier information, and order information, and a data transmission interface operatively coupled to the controller and to a communication medium, wherein the controller sends the digital image information and its associated user-identifier information and order information to the image-processing provider via a communication medium. Specification at page 6.

Claim 33's means, in response to receipt of a first poll request at the kiosk and if a data structure is available, for sending data structure address information corresponding to available data structure from the kiosk via the communications medium; and in response to receipt of the sent data structure address information at the image-processing provider, sending a data-structure-fetch request across the communications medium to the kiosk are discussed in the specification in part as follows: In some embodiments of the method, the data structure includes a reel-control data structure and a plurality of roll data structures, and the method further includes: in response to receipt of a first poll request at the kiosk and if the data structure is available, sending data structure address information corresponding to the available data structure from the kiosk to the image-processing provider via the communications medium, in response to receipt of the sent data structure address information at the image-processing provider, sending a data-structure-fetch request across the communications medium from the image-processing provider to the kiosk, sending the data structure from the kiosk to the image-processing provider via the communications medium, and storing the data structure in the image-processing provider. Specification at page 16, among others.

Claim 62's means, in response to receipt of a first poll request at the kiosk and if the data structure is available, for sending data structure address information corresponding to the available data structure from the interface via the communications medium; and means, in response to receipt of the sent data structure address information,

for sending a data-structure-fetch request across the communications medium to the interface are disclosed in part in the Specification at page 16, among others.

GROUND OF REJECTION PRESENTED FOR REVIEW

- I. WHETHER CLAIMS 1-3, 5, 8, 9, 17, 18-22, 24, 26, 33, 44, 45, 48, 50, AND 56-64 ARE PATENTABLE OVER FREY (US 6,369,908) IN VIEW OF OFOTO AND FURTHER IN VIEW OF ROGAN ET AL. (5,170,466) ("ROGAN").
- II. WHETHER CLAIMS 34-43 ARE PATENTABLE UNDER SECTION 103(A) OVER FREY AND OFOTO.
- III. WHETHER CLAIMS 4, 6, 7, 10-16, 23, 25, 27-32, 46, 47, 49 AND 51-55 ARE PATENTABLE UNDER SECTION 103(A) OVER FREY, ROGAN, OFOTO AND OFFICIAL NOTICE.

ARGUMENT

- I. CLAIMS 1-3, 5, 8, 9, 17, 18-22, 24, 26, 33, 44, 45, 48, 50, AND 56-64 ARE PATENTABLE OVER FREY IN VIEW OF OFOTO AND FURTHER IN VIEW OF ROGAN.

Claims 1-3, 5, 8, 9, 17, 18-22, 24, 26, 33, 44, 45, 48, 50, and 56-64 are rejected under 35 U.S.C. 103(a) as being unpatentable over Frey (US 6,369,908) in view of Ofoto and further in view of Rogan et al. (5,170,466) ("Rogan").

The Office Action noted that:

Regarding claims 1, 3, 17, 57, 59, 60 and 63, Frey discloses a method of collecting images from a plurality of customers into a kiosk, and transferring images from the kiosk to an image-processing provider, wherein the kiosk includes a computer, a data storage device and an interface for capturing digital images, wherein the data storage device includes computer readable media for storing information representative of the digital images (col. 2, lines 41-56; and col. 3, lines 19-26), the method comprising: accepting image information from a customer into the interface of the kiosk; accepting user-identifier information into the computer, the user identifier information corresponding to the customer (col. 6, lines 9-14);

accepting order information into the computer, the order information specifying a service to be provided relative to the image information (Abstract, Fig. 2-5; and col. 4, lines 4-18); and

storing into a local storage connected to the computer, a digital representation of the image information and associated user identifier information and order information for each of a plurality of different customers into a data structure (col. 5, lines 19-30; and col. 5, lines 35-40).

Frey does not expressly teach in response to receipt of a first poll request at the kiosk and upon detecting the availability of the data structure, sending data structure address information corresponding to the available data structure from the kiosk to the image processing provider via the communications medium; in response to receipt of the sent data structure address information at the image-processing provider, sending a data-structure-fetch request across the communications medium from the image processing provider to the kiosk; and storing the data structure in the image-processing provider. However, Rogan teaches a high capacity storage and retrieval system for image processing wherein an image packet is transmitted from a modular data storage to an image processing unit in response to a request to retrieve the image packet (col. 7, lines 26-29). At the time of Applicants' invention, it would have been obvious to one of ordinary skill in the art, to modify Frey to include the teachings of Rogan. This combination would enable Frey to provide a batch processing function whereby image data could be transmitted more quickly by transmitting images during periods of low network traffic.

Assuming Frey and Rogan do not expressly teach sending the data structure to the image-processing provider via a communication medium, Ofoto overcomes this ostensible deficiency. Ofoto discloses an online finishing service wherein users are permitted to submit digital images to a developer over a communications network (pp. 1-2). At the time of Applicants' invention, it would have been obvious to one of ordinary skill in the art, to modify Frey and Rogan to include the teachings of Ofoto in that sending the data structure to the image-processing provider via a communication medium would enable the Frey/Rogan method to offer a wider range of services than just photographic emails.

Applicants respectfully traverse the rejection. Here, the references fail to show a number of elements recited in the claims.

First, neither Frey, Ofoto, nor Rogan discloses storing into a local storage connected to the computer, a digital representation of the image information and associated user identifier information and order information for each of a plurality of different customers into a data structure.

Frey shows capturing a picture, sound clip and text of one user and emailing the captured data to an email address. Frey mentions that the kiosk includes a payment device at Col. 6, lines 9-16. However, Frey's system removes images from a removable

storage media provided by a user. Any information stored on the removal media is from the user herself. Therefore Frey does not show the element of storing order information for “each of a plurality of different customers into a data structure” in claim 1.

In contrast, the local storage is part of the kiosk whereas the removal media is not part of the kiosk in the instant application. Claim 1 recites that “the kiosk includes a computer, a data storage device and an interface for capturing digital images” The kiosk is used by a plurality of users and is thus used to store “image information and associated user identifier information and order information for each of a plurality of different customers into a data structure” as recited in claim 1. Furthermore, no data structure was written on the removable media and thus no data structure is to be removed.

In one embodiment, the data structure includes
image info;
user identification
order information

for a plurality of users. Additionally, the user’s removable media contains info for only one user. There is also no disclosure in Frey of the data structure containing image, UID and order info. Since this element is missing, Frey cannot render the independent claims obvious.

Additionally, the Office Action acknowledged that Frey did not show, in response to receipt of a first poll request at the kiosk and upon detecting the availability of the data structure, sending data structure address information corresponding to the available data structure from the kiosk to the image-processing provider via the communications medium; in response to receipt of the sent data structure address information at the image-processing provider, sending a data-structure-fetch request across the communications medium from the image-processing provider to the kiosk; sending the data structure to the image-processing provider via a communication medium, and storing the data structure in the image-processing provider.

The Office Action asserted that Rogan and Ofoto disclose the missing elements. Applicants traverse the assertion. Rogan relates to a high-capacity high-speed storage/retrieval system for storage and retrieval of document images in digitized data form permits clusters of storage/retrieval modules (SRM's) to store and exchange digital

data via local area networks within the cluster of SMR's. Rogan's Col. 7, lines 26-29 discloses that the disk controller board 10dc receives the image packet and prepares it for transmittal to the disk drive location which was defined by the Storage Processor 10p. Data is then transferred from the disk controller board 10dc to the disks 20. The image packet is stored on the disk until the SRM module 10 receives a request to retrieve the selected image packet or group of packets. Image packets are retrieved through a read and transfer of the packet data. The image data which is stored on the disk is not altered or erased.

However, Rogan still does not disclose the claimed specifics, namely in response to receipt of a first poll request at the kiosk and upon detecting the availability of the data structure, sending data structure address information corresponding to the available data structure from the kiosk to the image-processing provider via the communications medium; in response to receipt of the sent data structure address information at the image-processing provider, sending a data-structure-fetch request across the communications medium from the image-processing provider to the kiosk; sending the data structure to the image-processing provider via a communication medium, and storing the data structure in the image-processing provider.

As to the dependent claims, these claims overcome the Section 103 rejection because they depend from allowable independent claims. Moreover, Frey does not teach "removing the data structure from the local storage after the data structure has been sent to the image-processing provider" in claim 2 because Frey's system only removes images from a removable storage media provided by a user. It neither removes data structure anywhere nor teaches removal of data structure from a local storage.

Further, Applicants note that the MPEP Section 2143.01 - Suggestion or Motivation To Modify the References – requires that a statement that modifications of the prior art to meet the claimed invention would have been " 'well within the ordinary skill of the art at the time the claimed invention was made' " because the references relied upon teach that all aspects of the claimed invention were individually known in the art is not sufficient to establish a prima facie case of obviousness without some objective reason to combine the teachings of the references. Such is not the case here. Applicants note that no motivation or suggestion, either in the cited art reference or in the knowledge

generally available to one of ordinary skill in the art, has been cited by the Examiner to modify the Frey reference so as to produce the claimed invention.

The Office Action then noted that “assuming Frey and Rogan do not expressly teach sending the data structure to the image-processing provider via a communication medium, Ofoto overcomes this ostensible deficiency.”

Applicants have carefully reviewed the Ofoto PR Newswire dated Dec. 13, 1999, and could not locate any discussion of sending a data structure having a digital representation of the image information and associated user identifier information and order information for each of a plurality of different customers. At best, Ofoto simply shows that a user can order only the images she likes. However, this is significantly different from storing order information for each of a plurality of different customers in a marker file.

Additionally, Ofoto fails to show other missing elements, namely in response to receipt of a first poll request at the kiosk and upon detecting the availability of the data structure, sending data structure address information corresponding to the available data structure from the kiosk to the image-processing provider via the communications medium; in response to receipt of the sent data structure address information at the image-processing provider, sending a data-structure-fetch request across the communications medium from the image-processing provider to the kiosk; sending the data structure to the image-processing provider via a communication medium, and storing the data structure in the image-processing provider.

As noted above, the Frey reference fails to teach or suggest collecting images from a plurality of customers into a kiosk, and transferring images from the kiosk to an image-processing provider. The PR reference news article fails to teach or suggest collecting images from a plurality of customers into a kiosk, and transferring images from the kiosk to an image-processing provider.

Further, Applicants fail to identify any motivation to modify the reference teaching so as provide transferring images from the kiosk to an image-processing provider as presently claimed. In fact, the Frey reference teaches away from Applicant's invention as one skilled in the art would have been generally discouraged from

transferring images from the kiosk to an image-processing provider since Frey expressly teaches sending data one at a time to an email address.

Applicants point out that the Examiner bears the initial burden of factually establishing and supporting any *prima facie* conclusion of obviousness. *In re Rinehart*, 189 U.S.P.Q. 143 (CCPA 1976); M.P.E.P. § 2142. If the Examiner does not produce a *prima facie* case, the Applicant is under no obligation to submit evidence of nonobviousness. *Id.* In the instant case, the Examiner has not pointed to any evidence in Frey, or how knowledge of those skilled in the art, provide a suggestion or motivation to modify the reference teaching so as to produce the claimed invention. See *In re Zurko*, 59 U.S.P.Q.2d 1693 (Fed. Cir. 2001) ([I]n a determination of patentability the Board cannot simply reach conclusions based on its understanding or experience - or on its assessment of what would be basic knowledge or common sense. Rather, the Board must point to some concrete evidence in the record in support of these findings).

Based on the foregoing, Applicants submit that Frey, Ofoto and Rogan, singly or in combination, cannot render unpatentable claims 1-3, 5, 8-9, 17-22, 24, 26, 44-45, 48, 50, 56-61 and 63-64. Withdrawal of the rejection is requested.

II. CLAIMS 34-43 ARE PATENTABLE UNDER SECTION 103(A) OVER FREY AND OFOTO

The Office Action rejected these claims as follows:

Regarding claims 34, 35, 36, 40 and 41, Frey discloses a computer-implemented method of business comprising:

- accepting image information at a first business location (Abstract);
- accepting user-identifier information and order information associated with the image information at the first business location (Abstract; col. 3, lines 20-25; col. 4, lines 5-30; and col. 6, lines 9-15);
- processing and digitally storing a plurality of images from the image information at the first business location (col. 3, lines 19-26 and 43-67);
- accepting payment at the first business location (col. 6, lines 9-15);
- transferring the digital stored images to a second business location across a communications medium (Abstract; and col. 5, lines 44-57); and
- in response to receipt of a first poll request and if data structure is available,³ sending data structure address information corresponding to the available data structure via the communications medium; and in response to receipt of the sent data structure address information at the image processing

provider, sending a data structure fetch request across the communications medium.

Frey does not expressly teach storing the digital images at the second business location, processing prints of the stored images at the second business location and delivering the processed prints to a customer. However, Ofoto teaches an online service for developing digital photos including the steps of storing a plurality of customer images at the service provider Website, developing at least one customer image and delivering the at least one developed image to a customer. At the time of Applicant's invention, it would have been obvious to one of ordinary skill in the art, to modify Frey to include storing the digital images at the second business location, processing prints of the stored images at the second business location and delivering the processed prints to a customer as taught by Ofoto. This combination would allow users to order prints from a professional developing service thereby allowing the kiosk to offer a wide range quality photographic products.

First, these claims depend from allowable independent claims and therefore are allowable. Moreover, Applicants

Regarding claim 37, Frey discloses accepting input from the customer specifying a modification to be made to at least one image and displaying a modified image resulting from the modification (col. 4, lines 5-32).

Regarding claims 38 and 39, Frey teaches accepting a credit-card payment from the customer into the kiosk (col. 6, lines 9-15).

Regarding claim 42, Frey teaches all the limitations discussed under claim 34. Frey further teaches displaying captured images to the user at the first location and accepting input from the customer specifying a modification to be made to at least one image, and displaying a modified image resulting from the modification, and accepting a payment from the customer into the kiosk (col. 4, lines 5-32; and col. 6, lines 9-15). Frey does not expressly teach accepting input from a customer specifying at least one delivery address for processed prints. However, Ofoto teaches an online developing service that delivers prints of pictures taken by a digital camera. At the time of Applicant's invention, it would have been obvious to one of ordinary skill in the art to modify Frey to include accepting input from a customer specifying at least one delivery address for processed prints. This modification would permit Frey's photographic kiosk to offer customers a wide range of high quality photography products.

Regarding claim 43, Frey discloses transferring a data structure that includes image data of a plurality of customers across an Internet connection within a single Internet session (col. 5, lines 34-39).

III. CLAIMS 4, 6, 7, 10-16, 23, 25, 27-32, 46, 47, 49 AND 51-55 ARE PATENTABLE UNDER SECTION 103(A) OVER FREY, ROGAN, OFOTO AND OFFICIAL NOTICE.

Claims 4, 6, 7, 10-16, 23, 25, 27-32, 46, 47, 49 and 51-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Frey in view of Rogan, Ofoto and Official Notice. The Office Action noted that Frey, Rogan and the PR Newswire article do not expressly disclose accepting credit-card payment, and storing into the local storage connected to the computer, a digital representation of the credit-card information. However, the Examiner takes Official Notice that storing credit card payment information, as by an electronic wallet, for expediting e-commerce transactions is old and well known. At the time of Applicant's invention, it would have been obvious to one of ordinary skill in the art, to modify Frey, Rogan and the PR Newswire article to include accepting credit-card payment, and storing into the local storage connected to the computer, a digital representation of the credit-card information. Implementing this combination would allow users to pay for their orders automatically. Appellants respectfully disagree.

First, Appellants note that these claims depend on allowable claim 1 and thus are allowable. Moreover, Applicants note that no motivation or suggestion, either in the cited art reference or in the knowledge generally available to one of ordinary skill in the art, has been cited by the Examiner to modify the Frey reference so as to produce the claimed invention.

As noted above, the Frey reference fails to teach or suggest collecting images from a plurality of customers into a kiosk, and transferring images from the kiosk to an image-processing provider. The PR reference news article fails to teach or suggest collecting images from a plurality of customers into a kiosk, and transferring images from the kiosk to an image-processing provider.

Further, Applicants fail to identify any motivation to modify the reference teaching so as provide transferring images from the kiosk to an image-processing provider as presently claimed. In fact, the Frey reference teaches away from Applicant's invention as one skilled in the art would have been generally discouraged from

transferring images from the kiosk to an image-processing provider since Frey expressly teaches sending data one at a time to an email address.

Applicants point out that the Examiner bears the initial burden of factually establishing and supporting any *prima facie* conclusion of obviousness. *In re Rinehart*, 189 U.S.P.Q. 143 (CCPA 1976); M.P.E.P. § 2142. If the Examiner does not produce a *prima facie* case, the Applicant is under no obligation to submit evidence of nonobviousness. *Id.* In the instant case, the Examiner has not pointed to any evidence in Frey, or how knowledge of those skilled in the art, provide a suggestion or motivation to modify the reference teaching so as to produce the claimed invention. See *In re Zurko*, 59 U.S.P.Q.2d 1693 (Fed. Cir. 2001) ([I]n a determination of patentability the Board cannot simply reach conclusions based on its understanding or experience - or on its assessment of what would be basic knowledge or common sense. Rather, the Board must point to some concrete evidence in the record in support of these findings).

Under *Vaeck*, absent any evidence of a cited suggestion or reasonable motivation in the Andreiko et al. reference, or knowledge of those skilled in the art, for interpolating positional differences to produce successive digital data sets of tooth arrangements, *prima facie* obviousness of the claims has not been established. As such, it is respectfully requested that the § 103(a) rejection of claims, 4, 6, 7, 10-16, 23, 25, 32, 46, 47, 49 and 51-55 be withdrawn and the claims be allowed.

CONCLUSION

Applicants believe that the above discussion is fully responsive to all grounds of rejection set for the in the Office Action.

If for any reasons the Examiner believes a telephone conference would in any way expedite resolution of the issues raised in this appeal, the Examiner is invited to telephone the undersigned at 650-610-3522.

Respectfully submitted,



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CLAIMS APPENDIX

1. A method of collecting images from a plurality of customers into a kiosk, and transferring images from the kiosk to an image-processing provider, wherein the kiosk includes a computer, a data storage device and an interface for capturing digital images, wherein the data storage device includes computer readable media for storing information representative of the digital images, the method comprising:

- accepting image information from a customer into the interface of the kiosk;
- accepting user-identifier information into the computer, the user-identifier information corresponding to the customer;
- accepting order information into the computer, the order information specifying a service to be provided relative to the image information;
- storing into a local storage connected to the computer, a digital representation of the image information and associated user identifier information and order information for each of a plurality of different customers into a data structure;
- in response to receipt of a first poll request at the kiosk and upon detecting the availability of the data structure, sending data structure address information corresponding to the available data structure from the kiosk to the image-processing provider via the communications medium;
- in response to receipt of the sent data structure address information at the image-processing provider, sending a data-structure-fetch request across the communications medium from the image-processing provider to the kiosk;
- sending the data structure to the image-processing provider via a communication medium, and
- storing the data structure in the image-processing provider.

2. The method of claim 1 further comprising:

- removing the data structure from the local storage after the data structure has been sent to the image-processing provider.

3. The method of claim 1, wherein the data structure includes a reel-control data structure and a plurality of roll data structures[, and wherein the method further comprises:

in response to receipt of a first poll request at the kiosk and if the data structure is available, sending data structure address information corresponding to the available data structure from the kiosk to the image-processing provider via the communications medium;

in response to receipt of the sent data structure address information at the image-processing provider, sending a data-structure-fetch request across the communications medium from the image-processing provider to the kiosk;

sending the data structure from the kiosk to the image-processing provider via the communications medium; and

storing the data structure in the image-processing provider].

4. The method of claim 1, further comprising:

accepting credit-card payment information into the computer; and

storing into the local storage connected to the computer, a digital representation of the credit-card information associated with the user identifier information .

5. The method of claim 1, further comprising:

displaying to the customer at least one image from the image information.

6. The method of claim 4, further comprising:

displaying to the customer a plurality of thumbnail images from the image information.

7. The method of claim 1, further comprising:

printing a receipt describing the order and including a printout of a plurality of thumbnail images from the image information.

8. The method of claim 1, wherein the order information further includes a modification to be made to at least one image from the image information.

9. The method of claim 1, wherein the order information further includes a plurality of delivery addresses to which at least one print from the image information is to be delivered.

10. The method of claim 1, wherein the accepting image information includes optical scanning of film images and generating digital representations of the film images.

11. The method of claim 1, wherein the accepting image information includes transferring image data directly from a digital-image storage medium.

12. The method of claim 11, wherein the accepting image information includes reading image data directly from a memory stick into the kiosk.

13. The method of claim 11, wherein the accepting image information includes reading image data directly from a rotatable storage disk into the kiosk.

14. The method of claim 1, wherein the accepting image information includes transferring image data into a universal serial bus (USB) port of the kiosk.

15. The method of claim 1, wherein the accepting image information includes transferring image data into a wireless receiver port of the kiosk.

16. The method of claim 1, wherein the accepting image information includes: accepting a container of undeveloped film into the kiosk; processing the undeveloped film to generate developed film in the kiosk; and optically scanning the developed film and generating at least one digital representation of the developed film.

17. A computer-usable information medium having a computer program stored thereon for causing a suitably programmed system to transfer digital images between a

source terminal and a repository system interconnected by a communications medium by performing the method of claim 1 when such program is executed on the system.

18. A kiosk for accepting image-processing orders from a customer for processing at a remote image-processing provider, the kiosk comprising:

- a controller;
- a storage device operatively coupled to the controller;
- an image input device operatively coupled to the controller, wherein the controller transfers digital image information from the image input device to the storage device;
- a user input device operatively coupled to the controller to produce user-identifier information and order information based on input from the customer, wherein the order information specifies a service to be provided relative to the image information, and wherein the controller associates the user-identifier information and the order information with the digital image information; and
- a data transmission interface operatively coupled to the controller and to a communication medium, wherein the controller sends the digital image information and its associated user-identifier information and order information to the image-processing provider via a communication medium, wherein in response to receipt of a first poll request at the kiosk and upon detecting the availability of the data structure, the controller sends data structure address information corresponding to the available data structure from the kiosk to the image-processing provider via the communications medium; and in response to receipt of the sent data structure address information at the image-processing provider, the controller sends a data-structure-fetch request across the communications medium from the image-processing provider to the kiosk..

19. The kiosk according to claim 18, further comprising:

- a credit-card information input device operatively coupled to the controller.

20. The kiosk according to claim 18, further comprising:

- a display that shows to the customer at least one image from the image information.

21. The kiosk according to claim 20, wherein the user input device further accepts input from the customer to specify a modification to be made to at least one image from the image information, and wherein the display provides a visual indication of the image as modified by the modification.

22. The kiosk according to claim 18, further comprising:
a display that shows to the customer a plurality of thumbnail images from the image information.

23. The kiosk according to claim 22, further comprising:
a printer that prints a receipt that describes the order and includes a printout of the plurality of thumbnail images from the image information.

24. The kiosk according to claim 18, wherein the user input device further accepts order information indicating a plurality of delivery addresses to which at least one print from the image information is to be delivered.

25. The kiosk according to claim 18, wherein the image-input device includes an optical scanner of film images that generates digital representations of the film images.

26. The kiosk according to claim 18, wherein the image input device includes a digital camera interface that transfers image data directly from a digital camera.

27. The kiosk according to claim 18, wherein the image input device includes a storage medium interface that transfers image data directly from a storage medium.

28. The kiosk according to claim 27, wherein the storage medium interface includes a memory stick port into the kiosk.

29. The kiosk according to claim 27, wherein the storage medium interface includes a disk interface that reads image data directly from a rotatable storage disk into the kiosk.

30. The kiosk according to claim 27, wherein the storage medium interface includes a universal serial bus (USB) port into the kiosk.

31. The kiosk according to claim 27, wherein the storage medium interface includes a wireless receiver port into the kiosk.

32. The kiosk according to claim 18, wherein the image input device includes:
a mechanical port that accepts a container of undeveloped film into the kiosk;
a film processor coupled to the mechanical port that processes the undeveloped film to generate developed film in the kiosk; and
an optical scanner that scans the developed film and generates at least one digital representation of the developed film.

33. A remote film processing system for obtaining digital image data from a customer and remotely processing image prints, the system comprising:

- a network;

- a kiosk coupled to the network; and

- means for obtaining the digital image data into the kiosk and locally storing the data, and for transferring the data to a repository system interconnected to the kiosk by the network

- means, in response to receipt of a first poll request at the kiosk and if a data structure is available, for sending data structure address information corresponding to available data structure from the kiosk via the communications medium; and

- in response to receipt of the sent data structure address information at the image-processing provider, sending a data-structure-fetch request across the communications medium to the kiosk.

34. A computer-implemented method of business comprising:

- accepting image information at a first business location;

accepting user-identifier information and order information associated with the image information at the first business location;
processing and digitally storing a plurality of images from the image information at the first business location;
accepting payment at the first business location;
transferring the digital stored images to a second business location across a communications medium;
storing the digital images at the second business location;
processing prints of the stored images at the second business location;
delivering the processed prints to a customer;
in response to receipt of a first poll request and if data structure is available, sending data structure address information corresponding to the available data structure via the communications medium; and
in response to receipt of the sent data structure address information at the image-processing provider, sending a data-structure-fetch request across the communications medium.

35. The method according to claim 34, wherein the first business location includes an automated kiosk.

36. The method according to claim 35, further comprising:
displaying the images to the customer at the first business location.

37. The method according to claim 36, further comprising:
accepting input from the customer specifying a modification to be made to at least one image; and
displaying a modified image resulting from the modification.

38. The method according to claim 34, further comprising:
accepting a payment from the customer into the kiosk.

39. The method according to claim 34, further comprising:
accepting a credit-card payment from the customer into the kiosk.
40. The method according to claim 34, further comprising:
accepting input from the customer specifying a delivery address for the processed prints.
41. The method according to claim 34, further comprising:
accepting input from the customer specifying a plurality of delivery addresses for the processed prints.
42. The method according to claim 34, further comprising:
accepting input from the customer specifying at least one delivery address for the processed prints;
displaying the images to the customer at the first business location;
accepting input from the customer specifying a modification to be made to at least one image;
displaying a modified image resulting from the modification; and
accepting a payment from the customer into the kiosk.
43. The method according to claim 34, further comprising:
transferring a data structure that includes image data of a plurality of customers across an Internet connection within a single Internet session.
44. An automated kiosk for accepting image-processing orders from a customer for processing at a remote image-processing provider, the kiosk comprising:
a controller;
a storage device operatively coupled to the controller;
a plurality of image input devices operatively coupled to the controller, each input device accepting a different type of image information, wherein the controller transfers digital image information from the image input devices to the storage device;

a credit-card reader operatively coupled to the controller, the reader operable to read data of a credit card;

a user input device operatively coupled to the controller to produce user-identifier information and order information based on input from the customer, wherein the order information specifies a service to be provided relative to the image information, and wherein the controller associates the user-identifier information and the order information with the digital image information;

a display that displays the digital image information, user-identifier information, and order information; and

a data transmission interface operatively coupled to the controller and to a communication medium, wherein the controller sends the digital image information and its associated user-identifier information and order information to the image-processing provider via a communication medium, wherein in response to receipt of a first poll request at the kiosk and upon detecting the availability of the data structure, the controller sends data structure address information corresponding to the available data structure from the kiosk to the image-processing provider via the communications medium; and in response to receipt of the sent data structure address information at the image-processing provider, the controller sends a data-structure-fetch request across the communications medium from the image-processing provider to the kiosk.

45. A method of collecting images from a plurality of customers into an image-upload kiosk, and transferring images from the kiosk to an image-processing provider, wherein the kiosk includes a data storage device and an input interface for capturing digital images, wherein the data storage device includes computer readable media for storing information representative of the digital images, the method comprising:

storing image and associated user-identification and order information from each of the plurality of customers into the storage device of the kiosk;

connecting the kiosk to a telecommunications channel; and
transferring the information over the telecommunications channel from the kiosk to the image-processing provider, wherein transferring the information over the

communications channel includes storing the information to a storage device at the image-processing provider;

in response to receipt of a first poll request at the kiosk and upon detecting the availability of the data structure, sending data structure address information corresponding to the available data structure from the kiosk to the image-processing provider via the communications medium; and

in response to receipt of the sent data structure address information at the image-processing provider, sending a data-structure-fetch request across the communications medium from the image-processing provider to the kiosk.

46. The method according to claim 45, wherein the image-upload kiosk includes a receptacle, wherein storing image and associated user-identification and order information includes:

removing a data-storage medium from a digital imaging system; and
inserting the data-storage medium in the receptacle.

47. The method according to claim 45, wherein the image upload kiosk includes a receptacle and a button, wherein storing image and associated user-identification and order information includes:

removing a data-storage medium from a digital imaging system;
inserting the data-storage medium in the receptacle; and
depressing the button.

48. The method according to claim 45, wherein the telecommunications channel includes a telephone network.

49. The method according to claim 48, wherein the image upload kiosk includes a receptacle, wherein storing image and associated user-identification and order information includes:

removing a data-storage medium from a digital imaging system;

inserting the data-storage medium in the receptacle; and
wherein transferring the information over the communications channel further includes establishing a telephone connection between the image upload device and the image-processing provider.

50. The method according to claim 45, wherein the telecommunications channel includes a cable network.

51. The method according to claim 50, wherein the image upload kiosk includes a receptacle, wherein storing image and associated user-identification and order information includes:

removing a data-storage medium from a digital imaging system;

inserting the data-storage medium in the receptacle; and

wherein transferring the information over the communications channel further includes establishing a connection through the cable network between the image upload device and the image-processing provider.

52. The method according to claim 45, wherein the image upload kiosk includes a cradle having a data transfer interface and wherein storing image and associated user-identification and order information includes placing a digital imaging system in the cradle.

53. The method according to claim 52, wherein the digital imaging system includes a rechargeable electrical-energy source and wherein the cradle includes a battery-recharge circuit, wherein connecting the data storage device to the image upload device includes recharging the rechargeable electrical-energy source.

54. The method according to claim 45, wherein the image upload kiosk includes a cradle and a button, wherein storing image and associated user-identification and order information includes placing the digital imaging system in the cradle and depressing the button.

55. The method according to claim 54, wherein the digital imaging system includes a rechargeable electrical-energy source and wherein the cradle includes a battery recharge circuit, wherein connecting the data storage device to the image upload device includes recharging the rechargeable electrical-energy source.

56. An article of manufacture comprising a computer readable medium having instructions thereon, wherein the instructions, when executed in a computer, create a system for executing the method of claim 45.

57. A digital image transfer system, comprising:

- a processor;

- memory connected to the processor;

- a digital imaging system interface connected to the processor, wherein the digital imaging system interface is capable of receiving information representative of digital images from a digital imaging system;

- a user interface connected to the processor, the user interface capable of inputting user-identification, order, and payment information from each one of a plurality of customers;

- a storage device coupled to the processor, that stores the digital images and the associated user-identification and order information;

- an event detector coupled to the processor; and

- an image-processing provider interface connected to the processor, wherein the image-processing provider interface is capable of connecting to a communications medium in order to transfer digital images from the digital imaging system interface and the image information and the user-identification and order information from the user interface through the communications medium to an image-processing provider in response to an event detected by the event detector, wherein in response to receipt of a first poll request at the kiosk and upon detecting the availability of the data structure, the processor sends data structure address information corresponding to the available data structure from the kiosk to the image-processing provider via the communications

medium; and in response to receipt of the sent data structure address information at the image-processing provider, the processor sends a data-structure-fetch request across the communications medium from the image-processing provider to the kiosk.

58. The system according to claim 57, wherein the event detector includes a timer and wherein the event is a time-based event.

59. The system according to claim 57, wherein the event detector includes an Internet connection and wherein the event is a poll message from the image-processing provider.

60. The system according to claim 57, wherein the event detector includes a storage space detector and wherein the event is a predetermined amount of image data being stored in the storage device.

61. The system according to claim 57, wherein the user interface further includes an image display that displays digital images to the customer.

62. A digital image upload apparatus comprising:
a digital data interface for receiving digital image data. and
means, coupled to the interface, for storing and later uploading the digital image data across a communications medium;
means, in response to receipt of a first poll request at the kiosk and if the data structure is available, for sending data structure address information corresponding to the available data structure from the interface via the communications medium; and
means, in response to receipt of the sent data structure address information, for sending a data-structure-fetch request across the communications medium to the interface.

63. A method of collecting images and order information by an image-processing provider from at least one image kiosk, wherein the image kiosk includes a computer, a data storage device and an interface for capturing digital images, wherein the data storage

device includes computer readable media for storing information representative of the digital images, the method comprising:

accepting image information from a customer into the interface of the kiosk;

storing the image information into a local storage;

sending inquiring signal from the image-processing provider to the kiosk;

replying the inquiring signal with an image use signal;

transferring the image data to the image-processing provider via a communication medium;

in response to receipt of a first poll request at the kiosk and upon detecting the availability of the data structure, sending data structure address information corresponding to the available data structure from the kiosk to the image-processing provider via the communications medium; and

in response to receipt of the sent data structure address information at the image-processing provider, sending a data-structure-fetch request across the communications medium from the image-processing provider to the kiosk.

64. The method of claim 63, further comprising:

removing the image information from the local storage after the image-data transfer.

EVIDENCE APPENDIX

NONE

RELATED PROCEEDINGS APPENDIX

NONE